



[4910-13-P]

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2019-0610; Product Identifier 2019-NM-094-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Airbus SAS Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain Airbus SAS Model A319-112, A319-115, A319-132, A320-214, A320-216, A320-232, A320-233, A320-251N, A320-271N, A321-211, A321-231, A321-232, A321-251N, and A321-253N airplanes. This proposed AD was prompted by reports of finding container/galley end stop bumpers damaged in service. This proposed AD would require replacement of the affected bumpers with serviceable bumpers, as specified in a European Union Aviation Safety Agency (EASA) AD, which will be incorporated by reference. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Fax: 202-493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For the material identified in this proposed AD that will be incorporated by reference (IBR), contact the EASA, at Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 1000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); Internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this IBR material on the EASA website at <https://ad.easa.europa.eu>. You may view this IBR material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0610.

### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0610; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received,

and other information. The street address for Docket Operations is listed above.

Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2019-0610; Product Identifier 2019-NM-094-AD” at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM based on those comments.

The FAA will post all comments, without change, to <http://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact the agency receives about this NPRM.

**Discussion**

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0106, dated May 15, 2019 (“EASA AD 2019-0106”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain Airbus SAS Model A319-112,

A319-115, A319-132, A320-214, A320-216, A320-232, A320-233, A320-251N, A320-271N, A321-211, A321-231, A321-232, A321-251N, and A321-253N airplanes.

The MCAI states:

Several reports were received of finding container/galley end stop bumpers damaged in service. Deformed end stops could break or lose their function to maintain container/galley in their position on the aeroplane.

This condition, if not corrected, could lead to container/galley detachment under certain forward loading conditions, possibly resulting in injury to aeroplane occupants.

To address this potential unsafe condition, Airbus issued the applicable SB [service bulletin], providing instructions to modify and re-identify affected galleys.

For the reasons described above, this [EASA] AD requires modification of the affected galleys by replacement of the affected bumpers with serviceable bumpers.

#### **Related IBR Material Under 1 CFR part 51**

EASA AD 2019-0106 describes procedures for modification of the affected galleys by replacement of the affected bumpers with serviceable bumpers.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

#### **FAA's Determination and Requirements of this Proposed AD**

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI referenced above. The FAA is proposing this AD because the

FAA evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

### **Proposed AD Requirements**

This proposed AD would require accomplishing the actions specified in EASA AD 2019-0106, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD.

### **Explanation of Required Compliance Information**

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA worked with Airbus and EASA to develop a process to use certain EASA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. As a result, EASA AD 2019-0106 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with the provisions specified in EASA AD 2019-0106, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Service information specified in EASA AD 2019-0106 that is required for compliance with EASA AD 2019-0106 will be available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0610 after the FAA final rule is published.

### **Costs of Compliance**

The FAA estimates that this proposed AD affects 274 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

### Estimated costs for required actions

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 54 work-hours X \$85 per hour = Up to \$4,590	\$0	Up to \$4,590	Up to \$1,257,660

According to the manufacturer, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has included all known costs in the cost estimate.

#### Authority for this Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order

8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes and associated appliances to the Director of the System Oversight Division.

### **Regulatory Findings**

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### **The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

### **PART 39 - AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**Airbus SAS:** Docket No. FAA-2019-0610; Product Identifier 2019-NM-094-AD.

**(a) Comments Due Date**

The FAA must receive comments by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to the Airbus SAS airplanes specified in paragraphs (c)(1) through (c)(3) of this AD, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2019-0106, dated May 15, 2019 (“EASA AD 2019-0106”).

(1) Model A319-112, -115, and -132 airplanes.

(2) Model A320-214, -216, -232, -233, -251N, and -271N airplanes.

(3) Model A321-211, -231, -232, 251N, and -253N airplanes

**(d) Subject**

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.



**(e) Reason**

This AD was prompted by reports of finding container/galley end stop bumpers damaged in service. The FAA is issuing this AD to address deformed end stops, which could break or lose their function to maintain the container/galley in position on the airplane. This condition, if not corrected, could lead to container/galley detachment under certain forward loading conditions, possibly resulting in injury to airplane occupants.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Requirements**

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2019-0106.

**(h) Exceptions to EASA AD 2019-0106**

(1) For purposes of determining compliance with the requirements of this AD: Where EASA AD 2019-0106 refers to its effective date, this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2019-0106 does not apply to this AD.

**(i) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Section, Transport Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards

District Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (j)(2) of this AD. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

**(j) Related Information**

(1) For information about EASA AD 2019-0106, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; email ADs@easa.europa.eu; Internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this EASA AD at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. EASA AD 2019-0106 may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0610.

(2) For more information about this AD, contact Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223.

Issued in Des Moines, Washington, on August 22, 2019.

Suzanne Masterson,  
Acting Director,  
System Oversight Division,  
Aircraft Certification Service.

[FR Doc. 2019-18763 Filed: 8/29/2019 8:45 am; Publication Date: 8/30/2019]